

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 PETER JASON HELFRICH,

4 Plaintiff

5 v.

6 STATE OF NEVADA,

7 Defendant

Case No.: 2:20-cv-01319-APG-EJY

**Order Accepting Report and  
Recommendation and Dismissing Case**

[ECF No. 11]

8 On October 5, 2021, Magistrate Judge Youchah recommended that I dismiss plaintiff  
9 Peter Helfrich's initiating documents because he failed to pay the filing fee or complete an  
10 application to proceed *in forma pauperis* and because Helfrich has failed to update his address.  
11 ECF No. 11. She further recommends dismissal be with prejudice because Helfrich's initiating  
12 document is frivolous and delusional. *Id.* at 2. Helfrich did not object. Thus, I am not obligated  
13 to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring  
14 district courts to "make a de novo determination of those portions of the report or specified  
15 proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114,  
16 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings  
17 and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

18 Judge Youchah's report and recommendation was returned in the mail. ECF No. 12.  
19 Under Local Rule IA 3-1, a pro se party must immediately advise the court of any change of  
20 address. "Failure to comply with this rule may result in the dismissal of the action, entry of  
21 default judgment, or other sanctions as deemed appropriate by the court." LR IA 3-1. Helfrich  
22 has not filed anything in this case since January 2021. ECF No. 10. It appears he has abandoned  
23 this case.

1 I THEREFORE ORDER that Judge Youchah's report and recommendation (ECF No.  
2 **11) is accepted.** Plaintiff Peter Helfrich's petition for removal (ECF No. 1-1) is dismissed with  
3 **prejudice.** The clerk of court is instructed to enter judgment accordingly and to close this case.

4 DATED this 25th day of October, 2021.

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7 ANDREW P. GORDON  
8 UNITED STATES DISTRICT JUDGE  
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